REMARKS

Entry of this Amendment and reconsideration are respectfully requested in light of the amendments made to the claims and for the remarks made herein.

Claims 1-6 are pending and stand rejected. Claims 5 and 6 have been amended. No new matter has been added

Claim 5 is objected to under 37 CRF 1.75(a) because the phrase letter speech recognition unit needs clarification.

Applicant thanks the examiner for his observation and has amended claim 5 to remove the objected to language to more clearly state the invention. Having amended claim 5, applicant submits that the reason for the objection has been overcome and respectfully requests that the objection be withdrawal.

Claim 6 is noted, without objection, that it may contain informalities.

Applicant thanks the examiner for his observation and has amended claim 6 to correction the sentence construction. Accordingly, applicant believes that claim 6 now clearly states the subject matter claimed.

Claims 1-3 stand rejected pursuant to 35 USC §103(a) as being unpatentable over USP No. 5,799,065 to Junqua in view of USP No. 5,392,363 to Fujisaki, which are the same references cited in the prior Office Action. The Office Action states that "Junqua does not explicitly describe a letter speech recognition unit not using a letter grammar which denotes probabilities of the occurrence of different possible letter combinations in which a letter sequence is estimated. However Fujisaki also describes a letter grammar which denotes probabilities of the occurrence of different possible letter combinations [at Fig. 3, item 26...]; a letter speech recognition unit in which a letter sequence is estimated not using the letter grammar [at Fig. 3, item 26 ...]. As indicated Fujisaki shows that a letter speech recognition unit not using a letter grammar which denotes probabilities of the occurrence of different possible letter combinations in which a letter sequence is estimated was known to artisans at the time of the invention ... In view of the similarities between Junqua's and Fujisaki's recognition units, it would have been obvious ... in the art of speech pattern recognition ... to include the concepts described by Fujisaki."

Applicant respectfully disagrees with, and explicitly traverses, the reasons for rejecting the claims.

Junqua teaches call routing device employing continuous speech using a bigram letter grammar. Junqua states that "[i]n general, letter grammar 28 may be considered an n-gram letter grammar, where n is an integer greater than 1". (see col. 8, lines 1-2). Junqua further states that a "bigram letter grammar is essentially a database of pairs of letters and an associated probability that one letter follows another." See col. 8, lines 4-6.

Fujisaki, teaches a <u>handwriting</u> word recognition device that teaches the use of the A* algorithm, which is referred to in the claims. Fujisaki teaches the determination or estimation of individual letters as letters are provided individually.

Applicant respectfully submits that Manual of Patent Examining Procedure (MPEP), Eight Edition, Rev. 2, May 2004, provides appropriate instruction by which the determination of obviousness should be judged. MPEP §2143.01 provides in the subsections entitled:

> Fact That The Claimed Invention Is Within The Capabilities Of One Of Ordinary Skill In The Art Is Not Sufficient By Itself To Establish *PRIMA FACIE* Obviousness.
>> "A statement that modification of the prior art to meet the claimed invention would have been "'well within the ordinary skill of the art at the time the claimed invention was made'" because the references relied upon teach that all aspects of the claimed invention were individually known in the art is not sufficient to establish a prima facie case of obviousness without some objective reason to combine the teachings of the references." *Ex parte Levengood* 28 USPQ2d 1300 (Bd. Pat. App. & Inter. 1993). MPEP §2143.01, p. 2100-131.

> The Proposed Modification Cannot Change The Principle Of Operation Of A Reference.
>> "If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious" (*In re Ratti*, 270 F.2d 810, 123 USPQ 349 (CCPA 1959)). MPEP §2143.01, p. 2100-132.

In this case, Fujisaki teaches a <u>handwriting</u> letter recognition unit that determines individual letters as they are entered, by hand. Junqua teaches a speech recognition unit using n-gram letter combinations to assist in determining letters entered and specifically teaches away from using individual letters (i.e., n>1). One would not look to modify Junqua by the teachings of Fujisaki as:

1. the handwriting letter method of Fujisaki is based on keystroke information, which is based on a known alphabet and is not relevant to letter recognition in speech pattern recognition, as handwriting is based on character strokes and speech recognition is based on determination of complex pronunciations which are performed in real-time; and

2. the combination of Junqua and Fujisaki would be contrary to the teachings of Junqua as the combination requires that the letter recognition unit uses individual letters, which would defeat the purpose of the speech recognizer generating probability scores for each letter provided and selecting the most probable sequence of letters from a plurality of paths representing possible spelled combinations of letters (see col. 8, lines 61-65. Hence, using individual letters, as they are input, precludes the determination of a probability of letter combinations and the speech recognizer of Junqua is not able to determine a next letter based on a letter combination. Hence, the use of individual letters is contrary to the teaching and purpose of Junqua.

Applicant believes that in this case the examiner has impermissibly used the teachings of the instant application as a blueprint to combine the teachings of Junqua and Fujisaki without any suggestion or reason for such combination from either reference.

The combination of Junqua and Fujisaki does not render obvious the present invention, as recited in claim 1, because there is no suggestion or teaching to combine the devices and even if it were possible to combine the two teachings the combined device would implement a process that Junqua specifically teaches away from.

Applicant submits that the reason for the rejection of clam 1 has been overcome and respectfully requests withdrawal of the rejection and allowance of the claim.

With regard to dependent claims 2-4, these claims depend from claim 1, which has been shown to be allowable over the cited references. Accordingly, claims 2-4 are also allowable by virtue of their dependence upon an allowable base claim.

With regard to claim 5, this claim recites subject matter similar to that recited in claim 1 and was rejected citing the Junqua and Fujisaki prior references used in rejecting claim 1 in addition to Attwater. Thus, remarks made in response to the rejection of claim 1 are also applicable in response to the rejection of claim 5 as the Attwater reference fails to correct the deficiency noted in the combination of Junqua and Fujisaki.

In view of the remarks made with regard to the rejection of claim 1, which are reasserted, as if in full, in response to the rejection of claim 5, applicant respectfully submits that the reason for the rejection of claim 5 has been overcome and the rejection can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of the claims.

Claim 6 stands rejected pursuant to 35 USC §103(a) as being unpatentable over Attwater in view of Cecinati.

Applicant respectfully disagrees with, and explicitly traverses the reason for rejecting the claim.

Attwater describes an automated system for voice-operated services that receives word inputs and culls from a larger database or vocabulary a smaller vocabulary based on the word spoken. Attwater teaches that the initial database includes all possible answers to a series of questions to which the user responds. The user's answers to individual questions are used to limit the vocabulary to the words associated with the user's answer. By continuously applying responses to a series of provided questions, a vocabulary result is culled from the initial vocabulary. Hence, Attwater teaches that the vocabulary searched when a next word is provided is essentially fewer in number than a previous vocabulary because of the answers provided. Attwater fails to teach that word recognition is restricted to a vocabulary that is the result of letter recognition as is recited in the claim.

Cecinati teaches a two-level hierarchical speech recognition system and fails to recite using a letter recognition unit to limit the vocabulary presented to a word recognition.

A claimed invention is prima facie obvious when three basic criteria are met. First, there must be some suggestion or motivation, either in the reference themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the teachings therein. Second, there must be a reasonable expectation of success. And, third, the prior art reference or combined references must teach or suggest all the claim limitations.
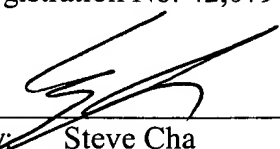
Accordingly, the combination of Attwater and Cecinati does not render obvious the present invention because the combined device would not include all the subject matter recited in claim 6.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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